

Notice of Allowability

Application No.

09/728,701

Examiner

Kaveh Abrishamkar

Applicant(s)

MUHLESTEIN, MARK

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment sent on 6/07/2007.
2. ☒ The allowed claim(s) is/are 94 and 97-116.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 08/06/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

CHRISTOPHER REVAH
PRIMARY EXAMINER


EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Jordan Becker (Reg. No. 39,602) on August 6, 2007.

The application has been amended as follows:

3. Claims 95-96 are cancelled by virtue of this Examiner's amendment.
4. Claims 94, 97-99 and 115 are amended as given below.

Claim 94 (Currently Amended):

A method implemented in a storage server, the method comprising:

receiving, at the storage server, requests for a plurality of files maintained by the storage server, from at least one of a plurality of clients of the storage server;

in response to the requests for the plurality of files, causing, by the storage server, each of a plurality of cluster devices that are external to the storage server and to the plurality of clients to execute an operation on the plurality of files;

at the storage server, receiving results of the plurality of cluster devices' operations on the plurality of files from the plurality of cluster devices; and

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responding to said at least one of the plurality of clients regarding the requests according to said results;

wherein said operation comprises a virus scan operation; and

wherein causing, by the storage server, each of a plurality of cluster devices that are external to the storage server to execute an operation on the plurality of files includes sending an identifier and path of each of the plurality of files from the storage server to the plurality of cluster devices.

Claim 97 (Currently Amended):

The method of claim 9694, wherein said sending is accomplished by using non-uniform access.

Claim 98 (Currently Amended):

The method of claim 9694, wherein said sending is accomplished by using a communication network.

Claim 99 (Currently Amended):

The method of claim 9694, wherein said sending is accomplished by using a direct connection.

Claim 115 (Currently Amended):

An apparatus comprising:

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a processor;
a mass storage facility, the mass storage facility storing a plurality of files;
a network interface through which to communicate with a plurality of clients;
a memory coupled to the processor, the memory storing instructions which when executed by the processor, cause the processing system to perform a process, the process comprising:

receiving a first request for a file of the plurality of files from a first client of the plurality of clients;

in response to the first request, requesting a cluster device of a plurality of cluster devices external to the apparatus and to the plurality of clients to scan the file for viruses, said requesting including sending an identifier and path of each of the plurality of files to the cluster device of the plurality of cluster devices; and

receiving a result from the cluster device regarding the scanning of the file; and

responding to the first request by sending the file to the first client if the result indicates that the file is not infected with any virus.

REASONS FOR ALLOWANCE

5. Claims 94, and 97-116 are allowed.
6. The following is an examiner's statement of reasons for allowance:

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7. The aforementioned claims are allowable over the Cited Prior Art (CPA) of record, Tso et al. (U.S. Patent 6,088,803) in view of Bates et al. (U.S. Patent 6,721,721), because the CPA does not teach nor suggest every limitation in the independent claims 94, 103, 109, 115, and subsequent dependent claims.
8. The CPA does not teach a method, system, or apparatus which in response to a request for a plurality of files, requesting at least one of a plurality of cluster devices, which are external to the storage server/apparatus to scan the at least one file for a virus, wherein the requesting includes sending an identifier and path of each of the files to the at least one cluster device.
9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K.A. 8/7/07
KA
08/07/2007

CHRISTOPHER REVAK
PRIMARY EXAMINER

